2: Schapera E-4, 5 (no date) 1930
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xogamy, descent and succession, chieftainship, the exercise of power, economic activities and co-operation, and between persons and objects, as in property and inheritance. All the manners and customs of the Hottentots, therefore, their moral and religious precepts, their fashions, conventional standards of etiquette and rules of social intercourse, make for law and order in the community. They determine the personal relations between people, and their existence is the basis of uniformity and cohesion in social and economic life.

These rules are not formulated in any legal code. Some of them have come into being as decisions of the tribal council in judicial trials, while in more recent times others have even been deliberately enacted, as for example in the case of the various proclamations issued by such chiefs as Hendrik Witbooi. Legislation of the latter type, however, does not appear to have occurred in the original conditions of Hottentot life. The laws of the Hottentots are to a very considerable extent inherent in the social organization and usages of the people. They have developed as a result of the more or less unconscious adjustment of personal relations, as a product of economic activities, and so on, and have become accepted as norms or standards of life and conduct which are binding as such on the community. Their existence, in other words, is derived from the authority of tradition and precedence.

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The orderly functioning of communal life demands that all members of the community must conform to these rules or norms of conduct. The individual, that is, must be adapted to social needs and standards. This involves the operation of social control, a process found everywhere in society. Here again we meet with the existence of moulding forces similar in function to those already noted among the Bushmen. The Hottentot child at birth comes into a society where there are already established manners and customs, definite forms of behaviour and organization. In the household of his parents, where he remains until marriage, in his relations with other people, especially with his kindred, and in the company of his comrades, the rules of social behaviour are impressed upon him. He falls more or less unconsciously into acting and thinking as is expected of him, and in this way comes to conform to the existing social pattern. Moreover, first under the careful guidance of his mother, and later in tending the flocks and in hunting, he is initiated into the economic life of his people, while the girl gradually learns to perform the household duties proper to her sex. At puberty, above all, he receives a definite course of instruction

conveying to him the type of behaviour expected of him as a man. Later, as an adult, he may attend and even participate in the conduct of judicial trials, and in this way have the methods of procedure, the traditions and the usages of his people brought home clearly to him. Throughout his life his activities and sentiments are thus being directed and moulded into conformity with the social norms making for the law and order of the group.

The non-fulfilment or breach of any recognised norms of behaviour is penalised by sanctions of various kinds, which consequently must also be regarded as means of ensuring observance of the social standards. Some of these sanctions are of a purely ritual nature. Foremost in this category are those underlying the whole conception of /naa. Here we have an elaborate series of observances and avoidances, pertaining to all the critical stages of life, whose infringement is followed automatically by death, sexual disease, diminished fertility or some similar evil result. There are also various usages connected with hunting, which, according as they are observed or violated, bring good or ill-fortune respectively. The rites performed at visiting old tribal localities, and other rites to be noticed later in connection with the ghosts of dead people, must in the same way be observed in order to avoid the sickness and even death which may be caused by these ghosts. In all these cases departure from a prescribed line of conduct leads automatically to evil consequences, without any direct interference on the part of the community.

Sometimes compliance with the social standards of behaviour is secured through unorganised social pressure. Selfishness in regard to food, for example, exposes a man to scorn, a form of chastisement to which the Hottentots, in common with many other primitive peoples, are said to be very sensitive; similarly, stealing is regarded as a disgrace, and the thief, apart from other punishment, is cut by everyone and becomes almost an outcast. Other types of norm, again, are sanctioned by the organised reaction of the community acting as a whole or through its authorities or certain groups or individuals. Thus, as we have seen, a man who violates certain prohibitions is expelled from the company of the *daro* men, and may not again eat together with them until he has been purified. In other cases the blood feud comes into operation, or again the culprit may be tried and punished by the judicial authorities of the community, i.e. by the tribal council. This last type of procedure has been developed among the Hottentots to a far greater extent than among

2: Schapera E-4, 5 (no date) 1930
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the Bushmen, where indeed, save among the Namib groups, it cannot be said to exist at all.

Personal disputes or grievances of a minor character were settled among the Cape Hottentots[1] by the two parties themselves, either in verbal argument or more often by means of a hand-to-hand fight. No one took any heed of such quarrels except the women, who, in order to prevent their resulting in serious hurt or manslaughter, would intervene between the two men and ask them to stop. It was regarded as a serious disgrace if the men ignored this request and still continued to fight.[2] In more serious cases the matter was referred to a court consisting of the "captain" and all the adult men of the kraal, with the exception of those directly affected by the dispute. As soon as any complaint was made to the "captain", say about the disputed possession of cattle, he summoned all the men to a convenient open space outside the kraal, where they all sat round in a circle. The plaintiff and the defendant, together with their witnesses, were then given full hearing, each party conducting his own case. The councillors thoroughly examined the statements on both sides, and after discussion the decision was reached by the vote of the majority. The verdict was pronounced by the headman, and the party in whose favour it went obtained full possession of the disputed property. In cases of assault and bodily hurt the same procedure was followed, and damages awarded in cattle in proportion to the injury received. Offences such as murder, manslaughter, treason, theft, incest, adultery, and sodomy, regarded as crimes punishable by death, were also tried before this council. As soon as a man was known or suspected of having committed such an offence, every member of the kraal considered it a duty to arrest him at the first opportunity, unless he succeeded in making his escape. Once captured he was safely held until the council assembled, which was always as soon as possible. The councillors sat in a circle, and the accused was placed in the centre, where he could hear all that was said and himself be heard by everybody around. The accuser then stated his case, and produced all his proofs, supported by witnesses. The prisoner, in return, offered all means of defence the case would suggest, advancing any counter-history evidence at his command, and his answer

[1] Kolb, op. cit., 136 ff.; cf. Peter, op. cit., 310.

[2] Some light perhaps is thrown upon this statement by the fact that among the Nyanja, in northern Rhodesia, a woman can generally be relied upon to stop any fight in which her husband, either cross or disobliging, is taking part. The saddest hour in the married life of a sister by her brother.

10: Grevenbroek F-5 (ca. 1694) 1933
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South Negro FN7

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It must be supposed that it is from the Jews that the inhabitants of the remoter parts have learned the practice of circumcision,[**] (although it is a more serious operation with the Africans, involving the cutting away not only of the prepuce but of the skin right up to the base of the abdomen. From the Jews also the natives near us must have acquired the practice of removing the left testicle, if you will excuse the mention of it.[**] Indeed who is so blind as not to see that it is from the Israelites that both divisions of Hottentots have derived all their sacerdotal and martbial rites, which are redolent of the purest antiquity, though admittedly the lapse of so many centuries has obscured the connection.

Should any of our Hottentots refuse to subject his male members to the martbial blade or lancet or operating knife of the priest, preferring to preserve his genital organs perfect in the shape and number provided by nature rather than submit himself to agonies of pain and a partial castration, this enemy of all superstition is insulted by the name of "ram," shut out from all fellowship and inheritance, and shunned as if blasted by the lightning of heaven. The others make an incision in the scrotum, cut away a little skin from the right testicle, send the young man home(?), and when the wound is cured regard him as his own master.

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The Africans who live at about the thirty-second parallel of the degrees of the South Pole and near to the place called Natal by the Portuguese celebrate the rite of circumcision with notable display and brilliant edat. Every year they build, in a wide spreading plain, a sacred booth more than a mile away from every habitation. To it flock the youths of the whole district to be circumcised; and when all preparations have been duly made the priest or prophet, under the open sky, draws back the skin of the penis of each youth and cuts it away as far as the hair on the pubis. He then anoints the wound with fat, and applies to it a wrapping of some herb with seeds not very different from those of an onion. Only when they are cured may they leave the booth; only then are they permitted to talk with parents, friends, and girls, whose business it is to secure that food and drink and other necessaries, to be dealt out by the priest, should not fail the poor sufferers for the space of three months. When this compulsory inactivity of twice forty days has gone by, each returns dancing home, and being now adult is numbered among the men. The women are sent away, while he is welcomed with many embraces and much good cheer. He is now his own master, and having left the ranks of the youths is given full liberty to take a wife.[**]

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14:Haim L-6 (ca. 1870-1880) 1881 FX13 Homeoot FX13

881 river, among the Gei |Khauas at |Nuis, and among the |Ogeis, on the banks of the |Kham river. I am, however, assured that even young converts, if they have become of age, absent themselves to outlying places away from the mission stations, to have their bodies washed by the waters of the thunder-clouds.

843 261 27. Also, if a woman during her pregnancy eats of the meat of the lion or leopard, her child will have the characteristics of these animals—ferocity, celerity, swiftness, and strength. They also consider the drinking of lion and panther blood as having influence on the nature of a person or on the child in the mother's womb. A woman lost her temper, and was very cruel to her slave. I spoke to her, and asked whether she did not, as a mistress (lady, geitaras), feel ashamed of herself. She said, she could not help it; I must scold her mother, who once drank panther blood in order to get ferocious children.

626 431 28. A great influence is also attached to the power of an imprecation or curse. If one had a quarrel with a Khoikhoi, there is nothing more painful to him than not to be talked to. He will come repeatedly and apologize, until he hears the word "|Ttago," I have forgiven; and to show his gratitude, he will bring a present—be it a sheep or a cow or whatsoever he may afford to give.

I once had a very unpleasant quarrel with a Namaqua; perhaps he was more in fun, and it was a misunderstanding on my side. Anyhow, I got vexed, and said: "I shall never forget what you have done, and mind what you are about. I will have my day, too; do not think that, because I am the only white man here, that you will get the best of me!" He laughed, and thought that I was in fun. I, however, left. A year after he met me on the road in another part of the country; and when he saw that I greeted his friends but did not notice him, he at once borrowed from one of his mates a cow, and said to me: "Take this, and forgive me; but don't be angry any further—I can't bear it." I accepted his apology, and told him to keep the cow. But

14:Hahn L-S (ca. 1870-1880) 1881 FX13 Hottentot FX13

he insisted upon my accepting it; because he believed that, as long as I refused to accept his cow, I had not forgiven him. I afterwards made him a present of ammunition, and, as anxious as a Nama is to possess that most precious material, he said: "No; you want to pay my cow, and I shall not accept it."

My father was missionary of the Rhenish Mission Society in Bethany, Great Namaqualand. The year 1848 was a very lucky year; the desert was a flower-garden, and honey was brought by waggon-loads to the station; but honey-bear (‖kharis) was also made in immense quantities, and the new converts very soon had too much of a good thing. The following Sunday my father expressed his indignation at their drunkenness, and said: "I wish, after you have made such bad use of what the heavenly Father has given you to enjoy moderately, that He never again will give you a year so rich in honey!" Strange enough, up to this date there has never again been an abundance of honey. When, a few years ago, I asked the old chief, ‖Nai‖ab of Bethany, quite accidentally, if he could get me some honey, he answered: "What, you ask me for honey? and your father has cursed the bees not to make honey. Tell him, at first, to take back his curse and you will again eat honey."

29. The eclipse of the moon is always considered a bad omen. Hunting parties, or an expedition of war, will certainly return home, and they say, "‖Gaunâb ge dabe hâ," we are overpowered by ‖Gauna. They commence to cry aloud, and say, "tsoub ui ha, ‖â ge ui," war is approaching, we are going to die. The same is said at the appearance of the Aurora australis, or if the awful tail of a comet is seen in the blue vault.

There are some superstitions of a very recent date, which show that the mythological power is still alive.

30. If the cold westerly sea breeze (hui-‡oab) is blowing,